

Issue 1: Potential fisheries habitat loss

The DMF and the WRC have similar concerns with this issue. The most important concern of the two includes losing fisheries habitat and spawning areas. As was stated by Mike Street, piles of submerged logs create an unevenness on the bottom of the riverbeds, which is important for staging areas for spawning. Lacking detailed surveys of each site prevents the determination of the amount of fisheries habitat that is lost. Bennett Wynne stated that it is difficult to know how log piles contribute to fisheries habitat, but that the log piles could be important in guaranteeing a variety of fish species by providing blockage and shelter from water flow. Kent Nelson agreed with the statements of Bennett and Mike, and questioned the proportion of habitat that is provided by sunken saw logs. Kent added that logs with branches and roots provide better habitat for fish.

Donna Moffitt then posed the question of how to receive information concerning how much habitat the submerged logs are providing unless a study is completed.

Bob Stroud stated that the submerged logs are 200 years old at best and that the adaptability of fish is strong. Removing the logs would not create a hardship on fisheries habitat under the existing permitting process. Bob stated that no other comparable group could prove that the piles of submerged logs provide a significant amount of fisheries habitat, but noted that there are regional differences. Sara Winslow followed up stating that the impact in the Cape Fear River is different than the impact in a river that is only 12 miles long (Perquimans River). Bob discussed that clam kicking and trawling near these areas was detrimental to fisheries habitat and that log salvaging should have the same consideration as these activities. Clam kicking and trawling have continued to be allowed because of the economic results of these activities. Mike Street stated that clam kicking and trawling were controlled and monitored and that it was prohibited in primary nursery areas (PNAs). Mike said that the viability of the varieties and diversity of fisheries habitat depended on the edges of the rivers where fish live and feed. It was also stated that snagging is allowed only as much is necessary for navigational purposes.

Possible permit condition recommendations that were taken from this discussion include the following:

- 1-That log recovery be allowed only in the main channel of a river with designated distances from the banks of the river. If the area permits snagging, it would be acceptable to log in that area.
- 2-A more specific description of the site is needed to determine the significance of impacts to fisheries habitat.
- 3-To ensure the viability of the variety and health of the fisheries habitats, the applicant be required to provide data of the types of fish that exist within the proposed site area since it is an existing public resource.
- 4-Because the value of submerged saw logs to fisheries habitat has not been determined, assume that all logs are important to fisheries habitat and require one to one replacement. Doug Huggett stated that a possible BMP could be requiring that for every log that is removed, something must be put in its place.

The discussion concerning 1:1 replacement for mitigating the areas where logs are removed continued with concerns that this requirement may be extremely burdensome to the applicant and that the CAMA permitting process may become more difficult because the replacement may be seen as discharging into navigable waters. The point was made that shellfish areas have artificial materials in place to ensure diversity of habitat. Also noted was that the Dredge and Fill Law should not be applicable if this activity is encouraged or required. David Rabon did comment that this 1:1 replacement could be pursued as restoration to the area after the work is completed. The type of material to be used as replacement is still undecided.

Kent Nelson stated that he liked the idea of 1:1 replacement, but that the state agencies involved in this process have not always been successful in mitigation through habitat. To determine what types of materials could be placed underwater in place of the removed logs, the DWQ could provide the standards of what is allowed so as to not discount water quality.

The recommendation of the group concerning this issue is to encourage 1:1 replacement until the programmatic EIS and further research can be completed.